

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

The Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the Annual Performance Report/State Performance Plan (SPP) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning: (a) the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises the RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The SEAC reviewed the draft and provided suggestions and input. These were incorporated into the final copy of this document. Progress and slippage in meeting the targets in the SPP are discussed in detail in each indicator submitted to OSEP. All indicators are publicly available on the RIDE website at the following link:

http://www.ride.ri.gov/Special_Populations/State_federal_regulations/Default.aspx.

Each year RIDE publicly reports per 34 CFR 300.602(b)(1)(i)(A). This year per OSEP, RIDE will publicly report on Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13, and 14. This, per OSEP, will occur no later than June 2, 2010. The link to access Rhode Island's public reporting information which details the performance of each LEA on the targets in the SPP is:

https://www.eride.ri.gov/eride2K5/SPED_PublicReporting/.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B) and 1442)

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

FFY	Measurable and Rigorous Target
FFY 2008	100%

(Target data for FFY 2008 – the percent shown in the last row of the Indicator 15 Worksheet [column (b) sum divided by column (a) sum times 100])
92%

Describe the process for selecting LEAs for Monitoring:

Rhode Island's Collaborative System of Focused Monitoring: School Support System (SSS) incorporates a variety of instruments and procedures that are utilized to ensure compliance with state and federal laws and regulations. How districts are selected for monitoring is described in this paragraph. The process is an ongoing focused cycle for LEAs and requires LEA self-assessment, data analysis, interviews, surveys and on-site visits. Districts are on a continuous cyclical basis. Cyclical is defined by Webster's New International Dictionary (2nd edition) as "... of or pertaining to a cycle or circle: moving in cycles". This description dovetails with our belief that monitoring is not one isolated event but rather a continuous circle of focused data review, reflection, improvement activity development, implementation and then evaluation/data review again. *To this end all districts (LEAs) in Rhode Island are always involved in aspects of the focused monitoring process—no one or even several districts are "chosen" and the rest left alone.* Again, all districts are always involved in various aspects of monitoring. The on-site review typically occurs every five years although if the data indicate a need for a on-site review sooner (we have and will continue to do that as needed). Due to the continuous nature and focus on data driven improvement planning districts are always asked to reflect on the data and appropriate targeted improvement activities which keep RIDE informed of their progress and direction. The ongoing process is framed upon a self-assessment system that requires data collection analysis and continuous improvement planning. These multiple sources of information are used to develop a corrective action/support plan that is directed at increasing student performance and is founded on proven practice. Each LEA in Rhode Island is assigned a district liaison from the Office for Diverse Learners who works in tangent with the Quality Assurance Administrator to monitor district compliance with ongoing data review and corrective action planning. Moreover, the Rhode Island Department of Education (RIDE), Office for Diverse Learners seeks to create collegial and collaborative relationships with the school district, thereby involving the entire district in evaluating the quality of special education services. As a result, the process delineates the district's strengths and needs, culminating in the development of a plan to improve service delivery. Our goal is to implement agreements in a timely and systematic way to get corrective actions instituted in order to assure continuous high performance of all children. Further, the School Support System addresses the Comprehensive Education Strategy and the R.I. Student Investment Initiative. These are state general education initiatives designed to close gaps in student performance and prepare students for the 21st century. The School Support System is designed to align with current standards-based reform efforts and supports the following beliefs and assumptions:

- an assigned category or level of disability does not define the educational needs of students
- to the maximum extent possible, students with special needs are meaningfully included in the general education program
- the curricula are based on standards that are sufficiently broad to support the learning needs of all students and include academic and skill areas
- Individual Education Programs reflect state and local standards for student performance, incorporate varied assessments, and utilize a broad array of accommodations for teaching and learning
- a comprehensive system of professional training must support and encourage the involvement of all personnel in addressing the learning needs of students with the full range of abilities and disabilities

The Rhode Island Department of Education, Office for Diverse Learners and the district/local educational agency engage in ongoing data analysis and review that provides a picture of the present status of programs and services for students with disabilities. The School Support System (SSS) not only looks at the LEAs degree of compliance with special education laws and regulations, but also the relationships among the district/educational setting's teaching and learning practices and the performance indicators for students with disabilities. The process includes a review of qualitative and quantitative data sources that have the most direct relationship with student performance and program effectiveness. This data review always includes a review of the LEAs federal funding application which in Rhode Island, is referred to as the Consolidated Resource Plan or CRP as well as a review of the LEA's State Performance Plan/Annual Performance Plan data and any improvement plans that are related to SPP/APR indicators. The SSS procedures, instruments, cyclical monitoring schedule, and final reports are available online a www.ritap.org. Through the SSS self-assessment process qualitative and quantitative data sources that have the most direct relationship with student performance and program effectiveness are analyzed. These include:

- collecting and reviewing a range of performance measures (e.g., data from the Rhode Island Department of Education's Information Works and Rhode Island's School Accountability for Learning and Teaching (SALT) Survey, graduation and drop-out rates of special education students, suspensions, expulsions, State Performance Plan/Annual Performance Report data, etc.)
- reviewing a sample of students' special education records
- surveying administrators, special educators, general educators, parents, and related personnel
- observing special education students randomly selected for the SSS visit
- engaging in on-site discussions/interviews with students randomly selected for the SSS visit
- interviewing special and general education personnel, and parents

During 2007-2008 there were four overlying focus areas and 32 indicators for program review. Six districts two charter schools and one state operated school received on-site reviews monitored for a total of nine LEAs. The LEAs that did not receive an on-site review had progress monitoring done via their respective RIDE appointed district liaison. This progress monitoring included data review/analysis including an annual review of the Consolidated Resource Plan (federal funding application), district self-reflection and corrective action review and refinement. *To this end all districts (LEAs) in Rhode Island are always involved in aspects of the focused monitoring process—no one or even several districts are "chosen" and the rest left alone.* The priority areas for monitoring as detailed in Section 616 of IDEA, 2004 are an integral part of the School Support System (SSS) process and are reflected indicators that are monitored. IDEA, 2004 saw resolution sessions become part of the due process system information. These elements: complaints, mediations, hearings, and resolution sessions are reviewed and integrated into the SSS process. This has always been an integral part of the SSS process. Indicator areas are rated either Outcome or Compliance. Outcome is equated with overall practice being legally compliant, concerns limited to a few isolated situations: data sources agree; data equal to state average or expected comparative data. Compliance is equated with a violation of a legal requirement occurring, data sources agree and indicate a compliance violation, policies and procedures are not implemented correctly throughout the LEA.

LEAs must address non-compliance concerns immediately so that no indicator is noncompliant. Outcome areas under the guidance of the Rhode Island Department of Education, Office for Diverse Learners are also reflected via the continuous improvement support planning process strategies for growth as related to best practices and improving outcomes for students. The SSS Team and the district jointly develop the Support Plan (corrective action/improvement plan). Furthermore, the Support Plan details technical

assistance and training needed to enable the schools and district to strengthen selected educational programs and correct essential areas. Resources are identified and made available to the district to assist in carrying out their support plans. The School Support System continuous improvement planning will include action plans, specific resources, staff responsibilities, timelines for completion, and mechanisms for verification. It is critical that these plans focus on continuous improvement in delivery systems and curricula that lead to higher achievement for students with disabilities. Approximately nine months from the date that Rhode Island Department of Education (RIDE) accepts the monitoring support plan, verification documentation is submitted to RIDE for review. One year from the date of the monitoring support plan was accepted by RIDE a closure /verification letter is issued to the LEA based on RIDE's verification of the LEA's successful completion of the support plan. School Support System monitoring reports, complaints mediation and due process hearing information is available on the Rhode Island Technical Assistance Project website at www.ritap.org.

Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2007 (July 1, 2007 through June 30, 2008).

Correction of FFY 2007 Findings of Noncompliance Timely Corrected (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008) (Sum of Column a on the Indicator B15 Worksheet)	234
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	216
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	18

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	18
5. Number of findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	18

Data from 2007-2008 and corrected by FFY 2008 (within the one year timeframe) is as follows:

Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification: 91% within the one year timeline of identification*

a. There were a total of **234 findings of noncompliance**.

113 were made related to monitoring activities as described in the preceding paragraphs.

40 were attributed to complaint findings of noncompliance.

There were no (0) hearing findings of noncompliance.

Eight-one (81) findings were attributed to specific SPP indicator related issues (three (3) findings were related to Indicator #4, four (4) findings were related to Indicator #9, five (5) findings were

related to Indicator #10, five (5) findings were related to Indicator #12 twenty-eight (28) findings to indicator #13 and thirty-six (36) findings to Indicator 11.)

- b. 113 findings made related to monitoring activities were corrected within the one year timeframe
40 complaint findings of noncompliance were corrected within the one year timeframe
Of the 81 findings attributed to specific SPP indicator related issues sixty-three (63) were corrected.
Eighteen (18) are still outstanding.

Thus, 216 corrections were completed corrected and verified as soon as possible but in no case later than one year from identification. Seven (7) were held over from FFY 2006 and reported in FFY 2007 submission were corrected in FFY 2008 for a total of 223 corrected findings.

All correction of noncompliance is accounted and verified for with the exception of Indicator 11. That indicator has eighteen (18) outstanding compliance findings. Hence, the percentage is $\frac{216}{234} \times 100$ which equals 92%

Correction of Remaining FFY 2006 Findings of Noncompliance (if applicable)

For FFY 2006 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance.

If the State reported <100% for this indicator in its FFY 2006 APR and did not report that the remaining FFY 2006 findings were subsequently corrected, provide the information below:

1. Number of remaining FFY 2006 findings noted in OSEP's June 1, 2009 FFY 2007 APR response table for this indicator	7
2. Number of remaining FFY 2006 findings the State has verified as corrected	7
3. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	0

In summary, the School Support System is a comprehensive and collaborative system of focused monitoring that not only looks at the school district's degree of compliance with special education laws and regulations, but also the relationships among the district's teaching and learning practices and the performance indicators for students with disabilities. The SSS process also integrates the State Performance Plan indicators into its reviews. Hence, the system analyzes the districts' compliance with the Individuals with Disabilities Education Act and the states Regents Regulations and how the district practices related to critical performance indicators for students with disabilities. We believe the data continue to support this assessment

Actions Taken if Noncompliance Not Corrected *For FFY 2007 findings for which the State has not yet verified correction, explain what the State has done to identify the root cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance*

(There were 18 findings from Indicator 11 that were not corrected within one year)

Child Find % determined eligible within the 60 day timeline (from Indicator 11)

A field was added to the database 'Receipt of Consent for Evaluation Date'. This field was added so that a school district or local education agency would not be penalized if the *Consent to Evaluate* form was taken home by the parents or guardian and sent back to the school district at a later date. School districts and local education agencies were instructed to date stamp the consent form as soon as they received it. The 60 day timeline started from the actual date of receipt. In addition, written guidance was sent to each school district and local education agency on exactly which exceptions were allowable. Technical assistance was provided in the guidance to explain specific circumstances where an allowable exception could be made for certain types of cases.

In cases where school districts and local education agencies percentage rate of compliance on Indicator 11 was below 79%, they were invited to a mandatory workshop. At the workshop these school districts and local education agencies were presented with the data they submitted for this indicator and afforded an opportunity to discuss their data and were given an opportunity to correct any discrepancies. This group reviewed their Corrective Action Plan from the previous year and submitted a Corrective Action Plan that would improve their compliance with this indicator for the next school year.

School districts and local education agencies whose percentage rate of compliance on this indicator was 80% to 99%, reviewed their Corrective Action Plan that they had submitted to RIDE the previous year and had to submit a Corrective Action Plan to improve their compliance with this indicator.

School districts and local education agencies, whose percentage rate of compliance on this indicator was 100%, were congratulated and asked to review their Corrective Action Plan.

All school districts were required to submit a Corrective Action Plan. Rhode Island Department of Education ensured that all referred students were evaluated and an eligibility determination was made. At the end of each school year, any students who's Initial Evaluation has not yet been determined are carried over into the next school year. This ensures that every student is accounted for and a determination is completed.

As a result of the technical assistance and revised Corrective Action Plans, the state had substantial increase from 64% to 85% compliance. 18 LEAs have reached 100% compliance. RIDE continues to provide ongoing technical assistance to the LEAs who have not reached compliance on this indicator.

Verification of Correction (either timely or subsequent)

For those findings for which the State has reported correction, describe the process the State used to verify that the LEA: 1) is correctly implementing the specific regulatory requirements; and (2) has corrected all instances of noncompliance (including noncompliance identified through the State's monitoring system, through the data system and by the Department), consistent with OSEP Memorandum 09-02.

Additional information regarding the improvement and verification activities for indicators is delineated in the following pages of this indicator as well as the respective individual indicator pages.

LEAs must address non-compliance concerns immediately so that no indicator is noncompliant. Performance areas under the guidance of the Rhode Island Department of Education, Office for Diverse Learners are also reflected via the continuous improvement support planning process strategies for growth as related to best practices and improving outcomes for students. The SSS Team and the district jointly develop the Support Plan (corrective action/improvement plan). Furthermore, the Support Plan details technical assistance and training needed to enable the schools and district to strengthen selected educational programs and correct essential areas. Resources are identified and made available to the district to assist in carrying out their support plans. The School Support System continuous improvement planning will include action plans, specific resources, staff responsibilities, timelines for completion, and mechanisms for verification. It is critical that these plans focus on continuous improvement in delivery systems and curricula that lead to higher achievement for students with disabilities. Approximately nine months from the date that Rhode Island Department of Education (RIDE) accepts the monitoring support

plan, verification documentation is submitted to RIDE for review. One year from the date of the monitoring support plan was accepted by RIDE a closure /verification letter is issued to the LEA based on RIDE's verification of the LEA's successful completion of the support plan. School Support System monitoring reports, complaints mediation and due process hearing information is available on the Rhode Island Technical Assistance Project website at www.ritap.org.

Further, The Rhode Island Department of Education through its Rhode Island Technical Assistance Project provides training and technical assistance in IEP development that assists in establishing the connection between improved student results and procedural compliance with issues such as general education teacher participation, quality present levels of performance statements, measurable goals, progress monitoring and consideration of students; strengths and challenges. Not only are these procedural issues, these are relevant components of effective teaching. In addition, the Supporting All Students (SAS) capacity building initiative addresses differentiated instruction and universal design for learning to further service delivery in the least restrictive environment. Supporting All Students assists teachers, school-based administrators, special education directors and others to effectively use these philosophies to inform their education practices and service delivery continuums.

Systemic issues are identified through the analysis of all data. As we examine our data, the specificity of our information increases and thus our abilities to effectively use the data to inform and refine our process, procedures and instruments. This specificity across procedures highlights systemic issues to be addressed such as least restrictive environment; increasing inclusive educational practices, differentiated instruction/universal design for learning, and IEP development. The RI Department of Education, Office for Diverse Learners in conjunction with the RI Technical Assistance Project and the Supporting all Students initiative will target and provide technical assistance through a myriad of professional development and technical assistance opportunities to address systemic needs as identified through the School Support System process. This multi-faceted continuum array assists in maintaining progress. These improvement initiatives/activities include:

- The IEP Network is designed to assist families, students and school personnel in developing individualized programs for students with disabilities that meet the same high standards established for all students. This initiative strives to increase access to the general curriculum for students with disabilities, to ensure the participation of students with disabilities in accountability and assessment efforts, and to provide technical assistance on IEP development. The IEP Network's long-range goal is to have at least one teacher and one parent in every school building in the state as a resource network member. Ongoing state-wide training in the new IEP template has occurred throughout the FFY 2007 and FFY 2008.

- Legal Affairs provides technical assistance to state and local education departments, parents, and interest groups on regulatory requirements of special education: coordinates a system of due process including complaints, mediation and due process hearings; and publishes informational documents.

- The Response to Intervention Initiative /Supporting All Students (SAS) initiative builds capacity within schools and districts to differentiate instruction for all students, by preparing educators to provide professional development, demonstrate strategies, coach and otherwise support their colleagues. The initiative increases educators' understanding of differentiated instruction and how to implement differentiated instruction strategies in schools and classrooms to meet the needs of and improve results for students K-12.

RIDE, Office of Diverse Learners (ODL) will continue to support districts in their continuous improvement efforts through corrective action/support planning, guidance documents; procedures and policies; SSS self-assessments and analysis of data from formal complaints, mediations, and due process hearings. These are ongoing endeavors designed to provide LEAs with improvement guidance/tools and accountability verification mechanisms. These mechanisms will continue to provide targeted assistance to LEAs through guidance documents, Supporting All Students initiatives, part B discretionary funds targeting improvement strategies through corrective action/support planning, and technical assistance sources including ; IEP development through a variety of sources such as the IEP Network, Legal Affairs and other technical assistance supports such as the Supporting All Students (SAS) initiative, Autism Spectrum Disorders Support Center, Children's Behavioral Health Initiative, RI Regional Transition

Centers, the Positive Behavior Intervention and Support Project (PBIS) and the Traumatic Brain Injury Resource Center. These are ongoing endeavors designed to provide LEAs with improvement guidance/tools and accountability verification mechanisms that inform corrective actions/support planning. Continue to develop, refine and maintain database and performance of system for the identification and correction of IDEA noncompliance. This is an ongoing endeavor designed to provide an accountability verification mechanism that informs corrective actions/support planning. RIDE, ODL has also funded a Response to Intervention (RTI) initiative to assist schools in effectively intervening and recording progress with students that are not meeting expectations.

It is expected that pilot schools will serve as models for effective intervention. RIDE also formed a secondary RTI team and developing professional development for secondary level teachers and administrators and recruiting middle and high schools to serve as pilot sites.

In alignment with the above improvement activities the following activities are also occurring involving the topical areas of noncompliance.

Transition

Interventions Targeted at Improving Student Outcomes

-Rhode Island Transition Council

The Rhode Island Transition Council was established by state law on July 11, 1994 to assist in the transition of students with special needs from school to adult life. Responsibilities of the Transition Council include:

- Develop and periodically revise a Cooperative Agreement among state departments;
- Oversee the implementation of the Cooperative Agreement;
- Issue guidelines and recommendations to state departments and agencies which will effectuate the Cooperative Agreement;
- Develop joint plans among state departments and school districts for providing transition services for students with special needs;
- Provide an annual report to the Governor, Children's Cabinet and the General Assembly on the status of transition services and recommendations for improving opportunities for youth with special needs to make a successful transition from school to self-sufficient adult life.

The vision of the Transition Council is to create a partnership among state agencies, parents, students with special needs and local education agencies. This partnership will serve to enable students and young adults with special needs to successfully transition to adult life in their community. Membership of the Transition Council includes students, parents, representatives of local education agencies and the following state agencies:

- RI Department of Education/Office for Diverse Learners (Chair)
- RI Department of Education/Office of Research, High School Reform & Workforce Development
- RI Department of Mental Health, Retardation & Hospitals/Division of Integrated Mental Health
- RI Department of Mental Health, Retardation & Hospitals/Division of Developmental Disabilities
- RI Department of Human Services/Office of Rehabilitation Services
- RI Office of Higher Education
- RI Department of Children, Youth & Families
- RI Department of Labor & Training
- RI Department of Health

The RI Transition Council has fostered the development of several key policy and program initiatives to improve student outcomes. Three significant initiatives are described below:

Rhode Island Regional Transition Centers

The Rhode Island Regional Transition Centers provide direct technical support, training and information on transition services to school personnel in each region and assist in the development of statewide training and information activities. The Regional Transition Centers develop an annual technical assistance plan with each public school district and organize a Transition Advisory Committee (TAC) in four regions and Providence Public Schools. The Transition Advisory Committee meets on a scheduled basis, includes a representative from each high school in the region and adult service agency representatives and is utilized as the primary communication vehicle for sharing emerging transition practices and news.

Rhode Island Regional Vocational Assessment Centers

The Rhode Island Regional Vocational Assessment Centers provide vocational assessment services for students in special education ages 14-21 that are eligible for the services of the Department of Human Services/Office of Rehabilitation Services (ORS). The Assessment Centers assist students with their personal career goals through career counseling, vocational testing and community work experiences. Information generated from the assessment is provided to the students Individual Education Plan (IEP) team and used in establishing transition goals with the student for employment, post-secondary education and training, community participation and independent living. To participate in an assessment, students must be eligible for the services of the Office of Rehabilitation Services (ORS), receive special education services and are age 14-21. There is no cost to eligible students or their family. Annually, the Regional Vocational Assessments Centers serve 230 students statewide.

Rhode Island Transition Academies

The RI Transition Academies are a unique educational program that offers students with disabilities, 18 to 21 years old, the opportunity to complete their high school education on a college campus and/or in various employment and community settings. It is geared toward the student who has completed or nearly completed the academic courses necessary for graduation and would benefit from an additional one or two years to acquire the functional life skills, vocational skills and social skills necessary to be better prepared for adult life. Potential student candidates must be in special education with an Individual Education Plan (IEP), be currently enrolled in school and near completion of their academic program. Candidates must also be eligible for services through the Office of Rehabilitation Services and must have a current application with the Office of Rehabilitation Services. Application to the Transition Academy must be recommended by the student's Individual Education Plan (IEP) team, and must include an Office of Rehabilitation Services Counselor's recommendation. Applications are available through the student's high school or Special Education Administrator for the student's school district. Currently, there are three Transition Academies operating in Rhode Island;

- Transition Academy at the Community College of Rhode Island-Warwick
- Transition Academy at Roger Williams University-Bristol
- Northern RI Transition to Employment Center - TEC - Pawtucket

The results of the Transition Outcome Data will be significant in informing the practices and activities of the Transition Council and these statewide initiatives.

In December 2006 LEAs were required to begin reporting to RIDE, through the special education census, the completion of two sections of each student's IEP for students age 16 and above.

1. If the student was present at the IEP meeting, and

2. If the transition (long term) goal section of the IEP was completed for goals in employment, post-secondary education, independent living and community participation. If goals were not reported in each area, then the LEA would report if the rationale section for not having transition goals was completed or not.

Rhode Island requires LEAs to use the state IEP form so recovery of this information is consistent across all LEAs.

The data collected for 2006 APR was not complete. As the data was tabulated in 2006, RIDE discovered that some LEA's were not recording the data required or were not recording the data correctly. As a result, RIDE has installed an error feature on the census system that prevented the submission of a record without these fields being completed correctly. This feature went into full effect with the June 2007 census report and has allowed RIDE to report all LEA's in the 2007 APR.

RIDE was not able to verify data for district level compliance for this indicator for FY2006 due to the absence of valid and reliable data. RIDE was unable to address timely correction due to the absence of data, this has been corrected for FY2007.

Although institution of the error feature in the special education census has allowed RIDE to report if the student participated in the IEP meeting and if measurable goals for transition were developed (and if not a rational was provided), this does not fully address the portion of this indicator which states that goals "will reasonably enable the student to meet the post-secondary goals". To address and verify this portion of the indicator, RIDE developed features in the new state IEP form which went into effect July 1, 2008. The following table indicates the data that will be collected through the state special education census from the new IEP form. (The Rhode Island state IEP form and instructions may be viewed at: <http://www.ritap.org/iep/publications/publication.html>)

Rhode Island IEP Page	Item	Information reported
1	Date of Birth = 16 plus	"Percent of youth age 16 and older with an IEP..." (Ind. 13)
2	Student at IEP meeting - yes/no	Student participation in transition planning (not specific in indicator 13 but illustrates student involvement including consideration of preferences and interest)
3	Assessment Tools - one or more assessment tool listed on IEP yes/no	Based on age appropriate transition assessment (not specific in indicator 13 but a compliance item in IDEA)
3	Measurable Post-school goals - List one or more yes/no	"...coordinated, measurable, annual IEP goals..." (Ind. 13)
5	Transition services - List one or more yes/no	"...and transition services..." (Ind. 13)
6	Assurance of Transition Services - Assurance checked off with response yes/no	"... reasonable enable he student to meet the post-secondary goals." (Ind. 13) Student agrees/disagrees.

By the 2009 census, all IEPs will include the required data for indicator 13.

Rates of Suspension and Expulsion (from Indicator 4)

Improvement and Verification Activities Completed FY2006 The three LEAs with significant discrepancies for rates of suspensions were required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plans submitted June 1, 2008. These district reports included revisions in policies, procedures, and practices as part of correction of non-compliance relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. For two districts, correction of non-compliance was verified during School Support System focused monitoring review process. For the third district, revisions of policies, procedures, and practices were monitored and verified by the RI Commissioner of Education and the Director of the Office for Diverse Learners through the district Corrective Action Plan and District Negotiated Agreement. In addition, this district has begun to participate in the statewide Positive Behavior Intervention and Support Project (PBIS) on a district-wide basis.

Improvement and Verification Activities Completed FY2007 The two LEAs with significant discrepancies for rates of suspensions are required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plans to be submitted June 1, 2009. One district is outstanding from FFY06 and is currently participating in technical assistance from RIDE in collaboration with the Sherlock Center on Disabilities PBIS project. RIDE expects that the June 2009 submission of the Consolidated Resource Plan/Acelegants will demonstrate correction of noncompliance for this LEA relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. The second district had not been discrepant in this area in the FFY06 reporting. This district received additional technical assistance relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA from RIDE this spring. During this TA, RIDE and the district discovered that school staff were incorrectly reporting in-school interim behavior programs as an out of school suspension. When correctly counted, the district is not discrepant on this indicator.

Improvement and Verification Activities Completed FY 2008

Districts that showed significant discrepancy for suspensions and expulsions greater than 10 days for students with IEPs completed a self-assessment of their policies, procedures and practices to identify those that might contribute to the significant discrepancy and that do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral supports, and procedural safeguards. As a result, one district hired additional staff, including a part-time behavioral specialist and school psychologist to address these issues. They continued to address issues relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA through the use of their ARRA funding. A data collection error was found in the spring of 2009, where the district was counting students placed in an in-school interim behavior program as out of school suspensions. This brings them into compliance and eliminates the significant discrepancy for suspensions and expulsions greater than 10 days for students with IEPs as compared to students without IEPs.

The second district that showed a significant discrepancy for FFY 2007 completed year 2 of implementing an inclusion model with significant emphasis and training on co-teaching at the secondary level to better engage students in the classroom thereby reducing disciplinary issues.

Explanation of Progress/Slippage The decrease in the number of districts that are significantly discrepant for suspensions and expulsions greater than 10 days is likely explained by the implementation of self-assessment, action plans and changes in staffing and programming. LEAs with significant discrepancies for rates of suspensions were required to report plans for reducing the rate of suspension of children with disabilities in their consolidated resource plan due June 1, 2009 including revisions in policies, procedures, and practices as part of correction of non-compliance. Although a data collection error was discovered while RIDE was providing technical assistance, the district is continuing to address these issues. They will use ARRA money to hire additional staff to support students with IEPs with behavioral issues. Behavior specialists and social workers will be hired to develop plans and provide additional training to staff to support student progress and achievement. As part of the federal funding process (CRP), all districts are required to complete an annual self-assessment and evidence checklist of their policies, procedures and practices relating to the development of IEPs, the use of positive behavioral supports and interventions, and procedural safeguards.

Disproportionality (from Indicator 9)

Progress in the area of disproportionate representation due to inappropriate identification practices is likely due to continued emphasis on and attention to the issue in statewide technical assistance, the School Support System of Focused Monitoring, the annual Consolidated Resource Plan/Accelegrants IDEA submission. LEAs received targeted technical assistance from RIDE in collaboration with the New England Equity Assistance Center, the Rhode Island Technical Assistance Project, and the Northern RI Educational Collaborative. Topics included culturally responsive educational practices, distinguishing cultural and linguistic difference from disability, response to intervention (Rtl) initiatives for serving all students with responsive systems of supports and interventions, technical assistance and guidance on the implementation of state regulations for the education of English language learners, and Rtl for English Language Learners. RIDE requested additional technical assistance from the New England Equity Assistance Center which provided further targeted technical assistance to three LEAs with disproportionate representation. Review and revision of SEA policies, procedures, and practices has included the following activities:

- Review and revision of the state basic education plan including Chapter 14 Supports to Students completed June 2009
- Finalization of state criteria for identifying students with learning disabilities June 2009
- Review and revision of the Rhode Island Individualized Education Program (IEP) Guidebook spring 2009
- Drafted guidance on the implementation of Rtl for identifying students with learning disabilities with anticipated completion by February 2010
- Drafted and finalized guidance on LEA obligations to English Language Learners whose parents waive program placement October 2009

Significant Disproportionality: is defined as

- Risk levels for a racial group that are 1% or higher than the national risk for all students;
- A risk ratio that shows that the risk for the group in the district is at least 2.5 times the combined risk for all students in the nation;
- There must be at least 10 students in the category in question;
- The specific criteria must be met for two consecutive years;

LEAs with significant disproportionality were required to review and, if appropriate, revise policies, procedures, and practices in their consolidated resource plans submitted June *each year* and publically report on any such revisions. RIDE has provided a district self-assessment tool and evidence checklist to assist LEAs with this review. Evidence of revised policies, procedures, and

practices was also submitted in districts' consolidated resource plans June 2009. LEAs received targeted technical assistance from RIDE in collaboration with the New England Equity Assistance Center and the Northern RI Educational Collaborative on the review and revision of policies, procedures, and practices. In addition, LEAs were required to support Coordinated Early Intervening Services (CEIS) with 15% of their IDEA funds and report on their proposed activities in the consolidated resource plans and ARRA grants submitted June 1, 2009. LEAs are reporting on the number of students receiving CEIS who are subsequently referred to and found eligible for special education and related services through the eRIDE enrollment census. The first data collection was due June 20, 2009 and ongoing data collection is currently happening during this 2009-2010 school year. LEAs received targeted technical assistance from RIDE in cooperation with the Northern RI Educational Collaborative on CEIS.

Disproportionality (from Indicator 10)

Progress in the area of disproportionate representation due to inappropriate identification practices is likely due to continued emphasis on and attention to the issue in statewide technical assistance, the School Support System of Focused Monitoring, the annual Consolidated Resource Plan/Accelegrants IDEA submission. LEAs received targeted technical assistance from RIDE in collaboration with the New England Equity Assistance Center, the Rhode Island Technical Assistance Project, and the Northern RI Educational Collaborative. Topics included culturally responsive educational practices, distinguishing cultural and linguistic difference from disability, response to intervention (Rtl) initiatives for serving all students with responsive systems of supports and interventions, technical assistance and guidance on the implementation of state regulations for the education of English language learners, and Rtl for English Language Learners. Particular attention was given to technical assistance on the impact of acculturation on learning and behavior, tools for conducting file reviews in the areas of ED and OHI, and the use of functional behavioral analysis and implementation of behavior intervention plans. RIDE requested additional technical assistance from the New England Equity Assistance Center which provided further targeted technical assistance to three LEAs with disproportionate representation. Review and revision of SEA policies, procedures, and practices has included the following activities:

- Review and revision of the state basic education plan including Chapter 14 Supports to Students completed June 2009
- Finalization of state criteria for identifying students with learning disabilities June 2009
- Review and revision of the Rhode Island Individualized Education Program (IEP) Guidebook spring 2009
- Drafted guidance on the implementation of Rtl for identifying students with learning disabilities with anticipated completion by February 2010
- Drafted and finalized guidance on LEA obligations to English Language Learners whose parents waive program placement October 2009

Significant Disproportionality: is defined as

- Risk levels for a racial group that are 1% or higher than the national risk for all students;
- A risk ratio that shows that the risk for the group in the district is at least 2.5 times the combined risk for all students in the nation;
- There must be at least 10 students in the category in question;
- The specific criteria must be met for two consecutive years;

LEAs with significant disproportionality were required to review and, if appropriate, revise policies, procedures, and practices in their consolidated resource plans submitted June *each year* and publically report on any such revisions. RIDE has provided a district self-assessment tool and evidence checklist to assist LEAs with this review. Evidence of revised policies, procedures, and practices was also submitted in districts' consolidated resource plans June 2009. LEAs received

targeted technical assistance from RIDE in collaboration with the New England Equity Assistance Center and the Northern RI Educational Collaborative on the review and revision of policies, procedures, and practices. In addition, LEAs were required to support Coordinated Early Intervening Services (CEIS) with 15% of their IDEA funds and report on their proposed activities in the consolidated resource plans and ARRA grants submitted June 1, 2009. LEAs are reporting on the number of students receiving CEIS who are subsequently referred to and found eligible for special education and related services through the eRIDE enrollment census. The first data collection was due June 20, 2009 and ongoing data collection is currently happening during this 2009-2010 school year. LEAs received targeted technical assistance from RIDE in cooperation with the Northern RI Educational Collaborative on CEIS. Examination of risk ratio trend data over 3 years shows clear patterns of improvement for Speech/Language, ED, and MR in the form of declining risk ratios. The disability categories of OHI and LD have shifted but not as dramatically statewide.

Secondary Transition (from Indicator 13)

Indicator 13 Data in Rhode Island (collection and verification)

RIDE has decided to utilize the special education census as a means to monitor compliance with this indicator. As the data is collected by each district form every IEP form and entered into the RIDE census data system, RIDE is able to target LEA's with poor compliance for this indicator and provide targeted intervention. This method was initially chosen over utilization of the monitoring process because it allowed RIDE to monitor every IEP for essential compliance with this indicator.

In October 2005, RIDE provided guidance to all LEAs regarding the changes in IDEA 2004 related to the secondary transition requirements. This guidance included information of the development of measurable transition goals, Summary of Performance and other relevant changes. In February 2006 RIDE released an index of transition assessment instruments that schools may consider for meeting the measurable transition goal requirement and a series of trainings were offered for district personnel through the five Regional Transition Centers. Rhode Island hosted a statewide transition conference in April 2008 which featured many transition assessment tools and transition practices related to compliance on this indicator. Training and technical assistance has continued in 2008 and into 2009 with the release of a revised Transition Assessment Tools Guide for districts and a series of one day conferences devoted to transition assessment practices.

In December 2006 LEAs were required to begin reporting to RIDE, through the special education census, the completion of two sections of each student's IEP for students age 16 and above.

1. If the student was present at the IEP meeting, and
2. If the transition (long term) goal section of the IEP was completed for goals in employment, post-secondary education, independent living and community participation. If goals were not reported in each area, then the LEA would report if the rationale section for not having transition goals was completed or not.

Rhode Island requires LEAs to use the state IEP form so recovery of this information is consistent across all LEAs.

The data collected for 2006 APR was not complete. As the data was tabulated in 2006, RIDE discovered that some LEA's were not recording the data required or were not recording the data correctly. As a result, RIDE has installed an error feature on the census system that prevented the submission of a record without these fields being completed correctly. This feature went into full effect with the June 2007 census report and has allowed RIDE to report all LEA's in the 2007 APR.

RIDE was not able to verify data for district level compliance for this indicator for FY2006 due to the absence of valid and reliable data. RIDE was unable to address timely correction due to the absence of data, this has been corrected for FY2007. *Thus, there is no correction to report in the body of this indicator, the body of Indicator 13, or in the correction of noncompliance worksheet for FFY 2006. FFY 2007 is reported on in the correction of noncompliance worksheet as well as the body of Indicator 13.*

Although institution of the error feature in the special education census has allowed RIDE to report if the student participated in the IEP meeting and if measurable goals for transition were developed (and if not a

rational was provided), this does not fully address the portion of this indicator which states that goals “will reasonably enable the student to meet the post-secondary goals”. To address this portion of the indicator, RIDE developed features in the new state IEP form which went into effect July 1, 2008. The following table indicates the data that will be collected through the state special education census from the new IEP form. (The Rhode Island state IEP form and instructions may be viewed at: <http://www.ritap.org/iep/publications/publication.html>)

By the 2009 census, all IEPs will include the required data for indicator 13. Through the RIDE School Support System focused monitoring process (compliance monitoring), RIDE has always monitored LEAs for compliance with the secondary transition requirements of IDEA. This has been completed through record review, student and parent interview and on-site monitoring. LEAs with issues of noncompliance for the transition requirements are notified in the School Support report and are provided a deadline for compliance. RIDE schedules a verification follow-up visit/review to ensure compliance with noncompliant items based on the nature of the issue, but no more than one year from the release of the report. Although the number of record review is not large enough to allow sampling for Indicator 13, RIDE has drafted a protocol to examine records for complete compliance with indicator 13. The protocol is being piloted on two School Support System reviews in early 2010. The finalized protocol is expected for full implementation in September 2010. On-site record examination coupled with data generated through the special education census will provide RIDE with a complete picture of compliance for each LEA on Indicator 13.

Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY 2008 (if applicable): No revisions at this time.

Additional Information Required by the OSEP APR Response Table (if applicable)

Statement from the Response Table	State's Response
The State must demonstrate in the FFY 2008 APR that the State corrected the remaining findings of noncompliance that were not corrected in the FFY 2007 APR.	All FFY 2006 findings are corrected and that is detailed in the body of this indicator
Review and revise improvement activities, if appropriate, to ensure to ensure timely corrected noncompliance identified by the state in 2007	All actions taken (improvement and verification) to ensure timely corrected noncompliance identified by the state in 2007 are outlined in the body of this indicator
In reporting on correction of noncompliance the State must report 1.) Corrected all instances of noncompliance and 2.) Verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements.	All correction of noncompliance is 1.) Corrected and accounted for and 2.) Verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements. All noncompliance findings have been corrected and verified with the exception of Indicator 11 (13 findings). Additional information on these findings and the steps taken to ensure future correction are detailed in the body of the indicator.

Rhode Island
(Indicator 15-optional template)

In addition to responding to Indictors 4, 9, 10, 11, and 13 in FFY 2009 APR, the State must report on correction of noncompliance described in the table under those indicators.	The correction of noncompliance described in the table under those indicators is detailed in the body of this indicator. The correction of noncompliance worksheet is also submitted.
The State must use the Indicator 15 worksheet.	The State continues to use and submit the Indicator 15 worksheet (correction of noncompliance).